



Media briefing

European Parliament report on Arms export

In September 2020, the European Parliament has approved a report on “Arms export: implementation of Common Position 2008/944/CFSP (2020/2003(INI))” by 341 votes in favour, 124 against and 230 abstentions. Greens, Social-Democrats, and Liberals (Renew) supported the text, while Conservatives (EPP) and the Nordic Left (GUE/NGL) largely abstained. This report is the product of negotiations between the political groups, based upon the [first draft](#) by rapporteur MEP Hannah Neumann.

The report in short

Arms are not like any other export good. Their export needs to be regulated carefully. As of now, export decisions are made on national level. However, recent developments have demonstrated the limits of national level implementation; underlining an increasing need for EU-level involvement. Against this backdrop, the report identifies key challenges for the governance of arms exports and calls for necessary changes on EU level, especially regarding

- (1) **transparency** of reporting
- (2) **end user control**
- (3) **coherence** between national export decisions of the 27 member states and
- (4) an increased **involvement of the EU-level in export control**.

Background

In 2008, during the French Presidency, the EU adopted a legally binding [Common Position on arms exports](#). This Common Position was reconfirmed with slight modifications in September 2019. It establishes eight criteria on arms exports, including the legal obligation of denial in cases of

- arms exports that provoke, aggravate or prolong armed conflicts
- arms exports to countries where military equipment is used for internal repression or serious violations of human rights
- arms exports to countries where there is a clear risk that the military technology or equipment to be exported might be used to commit serious violations of international humanitarian law.

While all member states have recently reconfirmed their support of this Common Position and its eight criteria, they interpret its provisions in very different ways. This leads to loopholes in the system or varying, sometimes even contradictory national export decisions and practices resulting in numerous bilateral conflicts. An obvious example are arms exports to Saudi Arabia, where several EU member states, including Germany, imposed a ban, whilst others, like France, continued to export arms. Given the growing Europeanisation of arms production, such conflicts will become more prevalent and hamper EU-level cooperation, if they are not resolved on a more general level.

Main demands

- 1) **Transparency:** One weakness of the current reporting system is the poor quality of data coming from the national level which makes comparisons between export decisions of members states difficult. This is why it is vital that member states report their exports (meaning the total quantity and value of both the licenses granted and actual exports, broken down by country of destination and Military List category) in a comparable and consistent way. Resulting data needs to be publicly accessible in an easy to use online database, to encourage public scrutiny and debate.
- 2) **End user control:** Often arms and ammunition are not being used according to what has been agreed between exporter and importer. In some cases, they are even diverted to terrorist groups. Consequently, the report demands that EU member states should equip the EU level and the delegations in importing countries with the necessary staff resources for viable risk assessments, end-use control and post-shipment verification, as foreseen in the Common Position.
- 3) **Coherence:** Point of departure for every export licence is a risk assessment, currently carried out at national level. The results vary extremely, leading to highly divergent export decisions. The report encourages [the Working Party on Conventional Arms Export \(COARM\)](#) as the regulating body, to work towards joint EU level assessments of country situation or potential recipients. Further, the report calls on the Council, the member states, and the European External Action Service (EEAS) to set up a comprehensive training and capacity-building programme for national and EU officials on arms export controls with a strong focus on building mutual understanding of the eight criteria, joint risk assessments, setting up of safeguards, and pre- and post-licensing verification.
- 4) **EU-level involvement in export decisions:** The growing Europeanisation in arms production (through the European Defence Fund with 10 billion from the EU budget and certain programmes) needs to go hand in hand with an increased involvement of the EU level in export decisions. In this report, the parliament calls for robust export controls and sanction mechanisms to be enforceable for EU-funded projects, mutual information arrangements and parliamentary scrutiny; with substantial involvement of the European Parliament in this process. Further, it stresses the need to improve convergence and harmonization of export policies at EU level.

Facts and figures

The EU is currently the **second-largest arms supplier** in the world, after the US and before Russia. The top five West European arms exporters – France, Germany, the United Kingdom, Spain and Italy – together [accounted for 23% of global arms exports](#) in between 2015-19, compared to 20% in 2010-14. Most European arms exports are going to the Middle East, a region ravaged by conflict and war.

About Hannah Neumann

MEP Hannah Neumann is the Coordinator for the Greens / EFA Group for the Security and Defence Committee (SEDE) and the Human Rights Committee (DROI), Vice-Chair of the Human Rights Committee, Member of the committees on Foreign Affairs (AFET), as well as Chair of the Delegation for Relations to the Arabian Peninsula (DARP).

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Other sources

Committee on Foreign Affairs (AFET): “Arms export: implementation of Common Position 2008/944/CFSP (2020/2003(INI))” (Latest version after negotiations)
in attachment

Committee on Foreign Affairs (AFET): “Arms export: implementation of Common Position 2008/944/CFSP (2020/2003(INI))” ([Draft from Rapporteur Hannah Neumann](#))

[Roll call votes on amendments](#) and final vote

SEDE study “[Recommendations for a transparent and detailed reporting system on arms exports within the EU and to third countries](#)”

EU’s [20th](#) and [21st](#) annual reports on EU exports of military technology and equipment to third countries

Council Decision of 16 September 2019 [amending Common Position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment](#)